



Atty Dkt 213202.00369

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
IAN M. PENN, ET AL. ) : Examiner: BUI, Vy  
Appln. No.: 10/073,277 ) : Group Art Unit: 3731  
Filed: February 13, 2002 ) : Confirmation No.: 8817  
For: EXPANDABLE STENT AND )  
METHOD FOR DELIVERY ) :  
OF SAME ) October 29, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Comments On Statement of Reasons For Allowance, and  
Report of October 7 and 14, 2004 Interviews

1. The Applicants and their representatives wish to thank Examiner Bui for the significant effort that he put into examining this application, especially in view of the numerous cited documents.

2. With respect to the Examiner's Statement of Reasons for Allowance, Applicants respectfully submit that the

claim amendments set forth in the Examiner's Amendment were to clarify the claims with respect to the specification and Drawings and not in response to any statutory requirement. Applicants submit that the prior claims were fully patentable over the cited art (including Israel) for at least the reasons set forth in the RCE Response filed August 4, 2004.

3. With respect to the Examiner's Interview Summary Record, during the October 1, 2004 interview, Applicants pointed out that the independent claims may be read on Figure 8, which appears in the CA 2,175,722 priority document, not that priority was limited to the priority date of the CA '722 document. The priority claimed for the subject application is as set forth in the specification, the Application Data Sheet, and the Claim to Priority filed October 6, 2003.

4. During the October 7, 2004 personal interview, Applicants pointed out how the pending claims were supported in the specification, Drawings, and priority documents. Applicants also pointed out how the claims were patentably distinguished from the cited art, including Israel, Globerman '161, and Fischell '312 and '442.

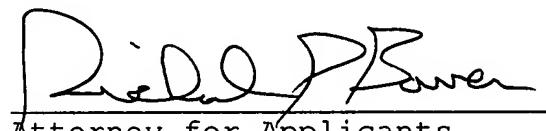
5. During the October 14, 2004 telephone interview, Applicants discussed claim amendments to clarify the claims with respect to the specification and Drawings and not in response to any statutory requirement.

6. Applicants thank the Examiner for allowing all pending claims, thus withdrawing the Election of Species requirement.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500.

All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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